

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.450 of 2022

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Mankeshwar Sharma Son of Ramdat Sharma Resident of Village- Barka
Teghra, P.S.- Maharajganj, District- Siwan. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector-cum- District Magistrate Siwan.
3. The Additional Collector Land Reforms, Siwan.
4. The Sub Divisional Officer Siwan.
5. The Circle Officer Maharajganj, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-11-2022 The present petition has been filed seeking the
following reliefs :-

“(A) For issuance of a writ in the nature of mandamus or any other appropriate writ/ writs, order or orders, directions commanding the respondent no. 3 to ensure the removal of encroachment from the piece of land bearing Khata no. 200, Khesra no. 130, Area 3.3 Katha 10 Dhur Gairmazarua Aam, Block-Maharajganj, Dist-Siwan, in terms of the order dated 23.07.2020 passed in cse no. 516210302011901967/2A of Bihar Public Complaint Redressal Forum (2nd Appeal) vide Annexure-3 of this application as also in terms of order dated 29.05.2018 passed in Jamabandi Sudhar case no. 59 of 2016-17 passed by the learned Additional Collector, Siwan.



(B) To direct the respondents to ensure the compliance of its own order in accordance with law as per the Bihar Land Encroachment Act and under Section 147 Cr.P.C. for which petitioner have been raiding his grievance since 2016.

(C) To direct the respondents to protect the right of easement in terms of legislate law emanating from the Article 21 of the Constitution of India.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Maharajganj, Siwan for redressal of his aforesaid grievances. Liberty so sought, is granted.

It is needless to state that in case, the petitioner approaches the Circle Officer, Maharajganj, Siwan by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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